UNITED STATES PATENT AND TRADEMARK OFFICE

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09/965,146	09/27/2001	William M. Houston	END920010069US1	6257

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2161	

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Please find below and/or attached an Office communication concerning this application or proceeding.

-- Th MAILING DATE of this communication app ars on th cover sheet with the correspond nce address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 August 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-23</u> is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-23</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>27 September 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
    application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
  since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
  37 CFR 1.78.

  a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
  reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

Claim Status:

Claims 1-23 are pending. Claims 1-23 are rejected as detailed below.

Claim Objections

Claims 1, 12 and 23 are objected to because of the following informality: Claims 1, 12

and 23 recite "a dynamically changing list of control documents." Reference to Figure 1, shows

that applicant is actually claiming a dynamically changing list of updates to database records.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

Claims 10 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

Claims 10 and 21 contain the trademark/trade name Lotus-script, Lotus-Domino software

and Lotus Notes databases.[1] Where a trademark or trade name is used in a claim as a limitation

to identify or describe a particular material or product, the claim does not comply with the

requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd.

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[1] The MPEP requires claims to be interpreted according to the specification and thus L-script is interpreted as Lotus-script, LD-software is interpreted as Lotus Domino software and LN databases is interpreted as Lotus Notes databases.

App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used

properly to identify any particular material or product. A trademark or trade name is used to

identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does

not identify or describe the goods associated with the trademark or trade name. In the present

case, the trademark/trade name is used to identify/describe information sharing in a distributed

environment and, accordingly, the identification/description is indefinite.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-3, 7, 8, 12-14, 18, 19 and 23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over US Pat No 6,625,648 to Schwaller et al (hereafter Schwaller) in view of US

Pat No 6,240,414 to Beizer et al (hereafter Beizer).

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Claims 1, 12 and 23:

Schwaller discloses generating a dynamically changing list of control documents [Schwaller,

work queue, col 11, lines 10-30, Fig 3, responsive to user inputs from GUI 58] but does not

disclose processing by a first agent a first approved control document on the list. Beizer

discloses processing by a first agent a first approved control document on the list [user with

proper authority, col 17, lines 40-45]. It would have been obvious to one of ordinary skill in the

art at the time the invention was made to modify Schwaller to include processing by a first agent

a first approved control document on the list as taught by Beizer for the purpose of controlling

versioning of a data object. The skilled artisan would have been motivated to improve the

invention of Schwaller per the above such that conflicts in proposed updating of a data object can

be resolved thereby maintaining integrity of data [Beizer, Fig 5, col 17, lines 17-34].

The combination of Schwaller and Beizer discloses wherein processing the first approved

control document includes causing executing at least one task on the first approved control

document [forwarded to agent, Schwaller, col 11, lines 10-30].

The combination of Schwaller and Beizer discloses wherein executing a task on the first

approved control document includes updating the database structure [Schwaller, Fig 3, 50].

Claims 2 and 13:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as noted

above and furthermore, Schwaller discloses generating the list [col 11, lines 25-30] but does not

disclose accessing the view by the first agent prior to processing the first approved control

document. Beizer discloses accessing the view by the first agent prior to processing the first

approved control document [Fig 6]. It would have been obvious to one of ordinary skill in the art

at the time the invention was made to modify Schwaller to include accessing the view by the first

agent prior to processing the first approved control document as taught by Beizer for the purpose

of displaying the list to a user with proper authority [Beizer, col 17, lines 40-45]. The skilled

artisan would have been motivated to improve the invention of Schwaller per the above such that

conflicts in proposed updating of a data object can be resolved thereby maintaining integrity of

data [Beizer, Fig 5, col 17, lines 17-34].

Claims 3 and 14:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as

noted above and furthermore, wherein executing a first task on the first approved control

document includes executing the first task by the first agent [Schwaller, col 17, lines 10-30].

Claims 7 and 18:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as

noted above, however, Schwaller does not disclose executing a first task on the first approved

control document includes updating a plurality of databases of the database structure. Beizer

discloses executing a first task on the first approved control document includes updating a

plurality of databases of the database structure [col 4, lines 51-65]. It would have been obvious

to one of ordinary skill in the art at the time the invention was made to modify Schwaller to

include executing a first task on the first approved control document includes updating a plurality

of databases of the database structure as taught by Beizer for the purpose of accommodating a

distributed storage system [Beizer, col 4, line 56]. The skilled artisan would have been motivated

to improve the invention of Schaller per the above such that provision can be made for a LAN

[Beizer, col 4, line 59].

Claims 8 and 19:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as

noted above, however, Schwaller does not disclose executing a first task on the first approved

control document includes updating a first database of the database structure, and wherein

executing a second task on the first approved control document includes updating a second

database of the database structure. Schwaller discloses a work queue [Schwaller col 11, line 29]

and Beizer discloses distributed storage system [Beizer, col 4, line 56]. It would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify the

combination of Schwaller and Beizer to include executing a first task on the first approved

control document includes updating a first database of the database structure, and wherein

executing a second task on the first approved control document includes updating a second

database of the database structure for the purpose of making allowances for a conventional

intranet [Beizer, col 4, line 59]. The skilled artisan would have been motivated to improve the

combination of Schwaller and Beizer per the above such that a first database and a second

database in a distributed environment can be successfully updated.

Claims 4, 6, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over the

combination of Schwaller and Beizer and further in view of US Pat No 6,718,330 to Zenner

(hereafter Zenner).

Claims 4 and 15:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as

noted above, but does not disclose executing a first task on the first approved control document

includes directly calling a second agent by the first agent and executing the first task by the

second agent. Zenner discloses executing a first task on the first approved control document

includes directly calling a second agent by the first agent and executing the first task by the

second agent [Zenner, col 3, lines 1-3]. It would have been obvious to one of ordinary skill in

the art at the time the invention was made to modify the combination of Schwaller and Beizer to

include executing a first task on the first approved control document includes directly calling a

second agent by the first agent and executing the first task by the second agent as taught by

Zenner for the purpose getting the task accomplished sooner [Zenner, col 3, lines 1-3]. The

skilled artisan would have been motivated to modify the combination of Schwaller and Beizer

per the above such that an equitable work load can be maintained across the agent group

[Zenner, abstract].

Claims 6 and 17:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as

noted above but does not disclose processing by a second agent a second approved control

document on the list, wherein processing the second approved control document includes

causing executing at least one task on the second approved control document, and wherein

executing a task on the second approved control document includes updating the database

structure. Zenner discloses executing a first task on the first approved control document includes

directly calling a second agent by the first agent and executing the first task by the second agent

[Zenner, col 3, lines 1-3] and Schwaller discloses a work queue [Schwaller col 11, lines 25-30].

It would have been obvious to one of ordinary skill in the art at the time the invention was made

to modify the combination of Schwaller and Beizer include processing by a second agent a

second approved control document on the list, wherein processing the second approved control

document includes causing executing at least one task on the second approved control document,

and wherein executing a task on the second approved control document includes updating the

database structure as taught by Zenner for the purpose getting the task accomplished in the

shortest possible time [Zenner, col 3, lines 1-3]. The skilled artisan would have been motivated

to modify the combination of Schwaller and Beizer per the above for the purpose of maintaining

an equitable work load across the agent group, Zenner, abstract].

Claims 5 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the

combination of Schwaller and Beizer and further in view of US Pat No 6,314,089 to Szlam et al

(hereafter Szlam).

Claims 5 and 16:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as

noted above, but disclose wherein executing a first task on the first approved control document

includes indirectly calling a second agent by the first agent and executing the first task by the

second agent. Szlam discloses wherein executing a first task on the first approved control

document includes indirectly calling a second agent by the first agent and executing the first task

by the second agent [first agent calls a second agent which calls a third agent, Szlam, col 11,

lines 10-20].[2] It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the combination of Schwaller and Beizer to include executing a

first task on the first approved control document includes indirectly calling a second agent by the

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[2] The specification defines indirectly calling as a first agent which calls a second agent which calls a third agent.

first agent and executing the first task by the second agent as taught by Szlam for the purpose of

sharing information [Szlam, col 11, lines 10-20]. The skilled artisan would have been motivated

to modify the combination of Schwaller and Beizer per the above for the purpose of sharing

information such that the customer of interest can be better served [Szlam, col 11, lines 10-20].

Claims 9 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the

combination of Schwaller and Beizer and further in view of US Pat No 5,548,506 to Srinivasan

(hereafter Srinivasan).

Claims 9 and 20:

The combination of Schwaller and Beizer discloses the elements of claims 1 and 12 as

noted above except for a first task and a second task on the first approved control document are

not independent. Srinivasan discloses a first task and a second task on the first approved control

document are not independent [Srinivasan, col 7, lines 62-67, Fig 7]. It would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify the

combination of Schwaller and Beizer to include a first task and a second task on the first

approved control document are not independent as taught by Srinivasan for the purpose of

controlling starting and completion of a task [Srinivasan, col 7, lines 62-67, Fig 7]. The skilled

artisan would have been motivated to improve the combination of Schwaller and Beizer per the

above for the purpose of assisting the project/task leader of the need for possible reallocation of

resources [Fig 7].

Claims 10 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over the

combination of Schwaller and Beizer and further in view of US Pat No 5,548,506 to Srinivasan

(hereafter Srinivasan).

Claims 10 and 21:

The combination of Schaller and Beizer discloses the elements of claims 1 and 12 as

noted above except for the first agent is a L-script operating within a L-D software environment,

and wherein the database structure includes LN-databases. Burgess discloses the first agent is a

L-script operating within a L-D software environment, and wherein the database structure

includes LN-databases [paragraph 29]. It would have been obvious to one of ordinary skill in the

art at the time the invention was made to modify the combination of Schwaller and Beizer to

include the first agent is a L-script operating within a L-D software environment, and wherein

the database structure includes LN-databases as taught by Burgess for the purpose of converting

groupware documents into HTML files [paragraph 69].

Claims 11 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over the

combination of Schwaller and Beizer and further in view of US Pat No 4,677,588 to Benjamin et

al (hereafter Benjamin).

Claim 11 and 22:

The combination of Schwaller and Beizer discloses the elements of claim 1 as noted

above except for executing a first task on the first approved control document includes replacing

a name of a first person with a name of a second person in a plurality of databases of the

database structure. Benjamin discloses executing a first task on the first approved control

document includes replacing a name of a first person with a name of a second person in a

plurality of databases of the database structure [claim 6]. It would have been obvious to one of

ordinary skill in the art at the time the invention was made to modify the combination of

Schwaller and Beizer to include executing a first task on the first approved control document

includes replacing a name of a first person with a name of a second person in a plurality of

databases of the database structure as taught by Benjamin for the purpose of replacing alias

names with real names.

Response to Arguments

Applicant's arguments filed 8/9/2004 have been considered but they are not fully

persuasive. Examiner is not persuaded by the arguments presented by the applicant,

nevertheless, above new art rejection is made such that prosecution may be advanced by

hopefully, minimizing arguments regarding semantics, especially with respect to "generating a

dynamically changing list of control documents" which is interpreted by examiner to be a

dynamically changing list of updates to database records.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Etienne LeRoux whose telephone number is (571) 272-4022.

The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Safet Metjahic, can be reached on (571) 272-4023.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (571) 272-2100.

Patent related correspondence can be forwarded via the following FAX number (703)

872-9306

Etienne LeRoux

1/12/2005

WAYNE AMSBURY
PRIMARY PATENT EXAMINER